

PUBLIC CHAPTER NO. 96**HOUSE BILL NO. 1604****By Representatives Shepard, Hackworth, Harmon, Fincher, Maddox****Substituted for: Senate Bill No. 1657****By Senators Jackson, Marrero, Burks**

AN ACT to amend Tennessee Code Annotated, Section 33-3-120(b), relative to mental health and developmental disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-3-120(b) is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) A person with mental illness or serious emotional disturbance may be isolated or restrained only in emergency situations if necessary to assure the physical safety of the person or another person nearby or to prevent significant destruction of property. If a person imposes restraints or isolation, the person shall immediately contact a professional who is permitted under department rules to authorize the isolation or restraint. If the treating physician is not the person who orders isolation or restraint, the treating physician shall be consulted as soon as possible. A professional authorized by department rules shall see and evaluate the person's condition within one (1) hour of the intervention.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: April 23, 2007


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 7th day of May 2007



PHIL BREDESEN, GOVERNOR